

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

*In re:*

**Genesis Global Holdco, LLC, et al.,**

**Debtors.<sup>1</sup>**

**Case No. 23-10063 (SHL)**

## Chapter 11

**(Jointly Administered)**

**SEVENTH STIPULATION AND  
AGREED ORDER FURTHER EXTENDING TIME  
TO TAKE ACTION, TO THE EXTENT NECESSARY, TO  
DETERMINE THE NONDISCHARGEABILITY OF A DEBT OWING  
TO A GOVERNMENTAL UNIT PURSUANT TO 11 U.S.C. §1141(d)(6)**

**WHEREAS**, the Parties<sup>2</sup> entered into that certain *Stipulation and Agreed Order Extending Time to Take Action, to the Extent Necessary, to Determine the Nondischargeability of a Debt Owed to a Governmental Unit Pursuant to 11 U.S.C. §1141(d)(6)* [ECF No. 418] dated June 12, 2023 (the “First Stipulation”), extending the date by which the Governmental Parties must file their complaint or take action that may be required, if any, in these Chapter 11 Cases to determine the nondischargeability of a debt, pursuant to Section 1141(d)(6) or Section 523 of the Bankruptcy Code to July 31, 2023 (“Nondischargeability Deadline”), which was approved by the Court on July 12, 2023 [ECF No. 494];

<sup>1</sup> The Debtors in these Chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 cases, the service address for the Debtors is 175 Greenwich Street, Floor 38, New York, NY 10007.

<sup>2</sup> Capitalized terms used but not defined herein shall have the meaning ascribed to them in the First Stipulation.

**WHEREAS**, on July 25, 2023, the Parties stipulated to further extend the Nondischargeability Deadline to August 31, 2023 [ECF No. 541], which was approved by the Court on August 10, 2023 [ECF No. 593] (the “Second Stipulation”);

**WHEREAS**, on August 29, 2023, the Parties stipulated to further extend the Nondischargeability Deadline to September 29, 2023 [ECF No. 630], which was approved by the Court on October 2, 2023 [ECF No. 769] (the “Third Stipulation”);

**WHEREAS**, on September 29, 2023, the Parties stipulated to further extend the Nondischargeability Deadline to October 31, 2023 [ECF No. 764], which was approved by the Court on October 23, 2023 [ECF No. 826] (the “Fourth Stipulation”);

**WHEREAS**, on October 31, 2023, the Parties stipulated to further extend the Nondischargeability Deadline to November 30, 2023 [ECF No. 871], which was approved by the Court on December 18, 2023 [ECF No. 1054] (the “Fifth Stipulation”);

**WHEREAS**, on November 27, 2023, the Parties stipulated to further extend the Nondischargeability Deadline to November 30, 2023 [ECF No. 983], which was approved by the Court on December 18, 2023 [ECF No. 1055] (the “Sixth Stipulation”);

**WHEREAS**, the Governmental Parties now seek a further extension of the Nondischargeability Deadline, and without binding precedent in this jurisdiction on this issue, and in order to avoid unnecessary litigation, the undersigned parties nonetheless jointly seek a further extension of the Section 523(c)/Rule 4007(c) deadline out of an abundance of caution, without prejudice to the Governmental Parties’ right to seek further extensions (this “Seventh Stipulation”);

Based on the foregoing stipulation of the parties, it is ORDERED that:

1. To the extent Section 523(c) or Rule 4007(c) applies, the date by which the Governmental Parties must file their complaint or take other action that may be required, if any, in these Chapter 11 cases to determine the nondischargeability of a debt, pursuant to Section 1141(d)(6) or Section 523 of the Bankruptcy Code, shall be January 31, 2024, or such later date as may be ordered by the Court, without prejudice to the Governmental Parties' right to seek further extensions of the date.

2. This Seventh Stipulation represents the entire agreement by and between the Parties with respect to the subject matter hereof, and all prior understandings or agreements, if any, are merged into this Seventh Stipulation.

3. Other than as set forth in paragraphs 1 and 2 hereof, nothing in this Seventh Stipulation shall, or is intended to, modify any terms, conditions or provisions of the First Stipulation, the Second Stipulation, the Third Stipulation, the Fourth Stipulation, the Fifth Stipulation, or the Sixth Stipulation and all such terms, conditions and provisions of the First Stipulation, the Second Stipulation, the Third Stipulation, the Fourth Stipulation, the Fifth Stipulation, and the Sixth Stipulation shall continue to apply to this Seventh Stipulation.

IT IS SO ORDERED.

Dated: January 8, 2024  
White Plains, New York

/s/ Sean H. Lane  
THE HONORABLE SEAN H. LANE  
UNITED STATES BANKRUPTCY JUDGE

**IN WITNESS WHEREOF**, the Parties, by their respective authorized counsel, have  
executed this Seventh Stipulation as of the date written below:

Dated: December 27, 2023  
New York, New York

By: /s/ Luke A. Barefoot  
Sean A. O'Neal  
Luke A. Barefoot  
Jane VanLare  
CLEARY GOTTLIEB STEEN  
& HAMILTON LLP  
One Liberty Plaza  
New York, New York 10006  
Telephone: (212) 225-2000  
Facsimile: (212) 225-3999

*Counsel to the Debtors and Debtors-in-  
Possession*

/s/ Sean T. Flynn  
LAYLA D. MILLIGAN  
Texas State Bar No. 24026015  
SEAN T. FLYNN  
Texas State Bar No. 24074214  
ROMA N. DESAI  
S.D.N.Y. Bar No. RD8227  
Texas Bar No. 24095553  
Office of the Attorney General of Texas  
Bankruptcy & Collections Division  
P. O. Box 12548  
Austin, Texas 78711-2548  
Telephone: (512) 463-2173  
Facsimile: (512) 936-1409  
layla.milligan@oag.texas.gov  
autumn.highsmith@oag.texas.gov  
abigail.ryan@oag.texas.gov  
roma.desai@oag.texas.gov

*Counsel for the Texas State Securities Board and  
the Texas Department of Banking*

- and -

/s/ Jeffrey Bernstein  
McELROY, DEUTSCH, MULVANEY &  
CARPENTER, LLP  
Jeffrey Bernstein, Esq.  
Virginia T. Shea, Esq.  
570 Broad Street, Suite 1401  
Newark, New Jersey 07102  
Telephone: (973) 565-2183  
Facsimile: (973) 622-5314  
Email: jbernstein@mdmc-law.com  
vshea@mdmc-law.com

*Counsel for the New Jersey Bureau of Securities*